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IN THE HIGH COURT OF JUDICATURE AT

BILASPUR

WRIT PETITION NO. (S) 4732/2006

PETITIONER : Dharmendra Singh Bais,
aged about 41 years,
S/o Shri Mahendra Singh,
Occupation - Service, presently posted
as Hostel Superintendent,
Post Matric Boy's Hostel for Wards of
Government Servant, Raigarh.
R/o Hostel Premises, Post Matric Boy's
Hostel, Raigarh.

P.R. No. 4273/06
Presented by Shri P.R. Sinha
dated 29/3/06

VERSUS

- RESPONDENTS :
1. State of Chhattisgarh,
through Secretary,
Department of Scheduled Caste,
Scheduled Tribe, Backward Class
and Minority Welfare, Mantralya,
D.K.S Bhawan, Raipur (C.G.)
 2. The Commissioner,
Scheduled Caste Scheduled Tribe
Development,
Government of Chhattisgarh,
Raipur.
 3. The Collector
(Tribal Development Branch),
Raigarh.



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4. Assistant Commissioner,
Tribal Welfare Department,
Raigarh.
 5. Rajeev Ratan Choubey,
Head Master, Tribal Welfare
Department, presently posted as
Government Pre-Secondary
School - Boro, Block -
Dharamjaigarh, Dist. - Raigarh.

WRIT UNDER ARTICLE 226/227 OF CONSTITUTION OF
INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS
AND DIRECTION

मामला क्रमांक 48...4732/06... सन् 200

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>1.9.2006</u> Mr. Rajeev Shrivastava, Advocate with Mr. Rajesh Ranjan Sinha, Advocate for the petitioner. Miss Deepali Pandey, P.L. for respondent No.1 to 4 on advance copy. Heard. The main grievance raised by the petitioner in this petition is that presently he is working as Hostel Superintendent, Post Matric Boys Hostel, Raigarh and without transferring him, respondent No.5-Rajeev Ratan Choubey has been posted as Hostel Superintendent, Post Matric Boys Hostel, Raigarh. Learned counsel for the petitioner submitted that the Deputy Commissioner, Department of Scheduled Castes, Scheduled Tribes, Backward Classes & Minority Welfare, Raipur wrote a letter dated 14.6.2002 (Annexure P-6) to the Collector, Raigarh to the effect that respondent No.5 herein being the senior person cannot be adjusted against the junior post of Superintendent, Boys Hostel Raigarh. It has also been mentioned in that letter that respondent No.5 is working in Raigarh since 1986, therefore, the transfer of respondent No.5 in place of the petitioner herein is mala fide. In the circumstances, learned counsel for the petitioner submitted that the petitioner may be allowed to make a representation to respondent No.3 and in turn, he be directed to decide the same, to which learned Panel Lawyer for the State has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case prayer made by learned counsel for the petitioner is just, fair and reasonable, therefore, without expressing any	

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
0	opinion on the merit of the case, the petitioner is allowed to make a detailed representation along with copy of this petition raising all his grievances to respondent No.3 within 10 days from today and in turn, respondent No.3 is directed to decide the representation of the petitioner in accordance with law within a period of 30 days from the date of receipt of representation after considering all the grievances raised by the petitioner. In the meantime, till the representation of the petitioner is decided, the effect and operation of impugned order dated 6.7.2006 (Annexure P-7) shall remain stayed. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.3656/06 also stands disposed of. Certified copy as per rules.	Sd/- L.C.Bhadoo Judge

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